

MESSAGE NO: 7082304 MESSAGE DATE: 03/23/2017

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 61 FR 11184 FR CITE DATE: 03/19/1996

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-204

EFFECTIVE DATE: 03/19/1996 COURT CASE #:

PERIOD OF REVIEW: 02/01/1995 TO 01/31/1996

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 03/19/1996

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Non review liquidation instructions for hand tools (axes/adzes) from the People's Republic of China for the period 02/01/1995 through 01/31/1996 (A-570-204)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.

2. Commerce will not revise the assessment rates for firms with a Non-Market Economy separate rate for which an antidumping administrative review was not requested for this period. The firm listed below has a Non-Market Economy separate rate and is not subject to the review for the period 02/01/1995 through 01/31/1996. Therefore, in accordance with 19 CFR 351.212(c), you are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption for the firms listed below at the cash deposit or bonding rate in effect at the time of entry:

Product: heavy forged hand tools (axes/adzes)

Country: People's Republic of China

Case number: A-570-204

Period: 02/01/1995 through 01/31/1996

Liquidate all entries for the following firm:

Exporter: Shandong Machinery Import & Export Corporation

Case number: A-570-204-002

3. There are no injunctions applicable to the entries covered by this instruction.

4. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 02/1996 anniversary month (61 FR 11184, 03/19/1996). Unless instructed otherwise, for all other shipments of axes/adzes from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by CLU:GL.)

8. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party